

RECEIVED 12/15/05

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LORA LANE,

Civ. No. 05-1497-AA

Plaintiff,

ORDER

v.

STATE OF OREGON DEPARTMENT OF
CORRECTIONS & PAUL WILSON,

Defendants.

AIKEN, Judge:

Defendant State of Oregon Department of Corrections (the State) moves to dismiss plaintiff's state law claims for lack of subject matter jurisdiction and failure to state a claim. Specifically, the State maintains that it is immune from suit in federal court under the Eleventh Amendment. See Raygor v. Regents of Univ. of Minn., 534 U.S. 533, 540-542 (2002); College Sav. Bank

v. Florida Prepaid Postsecondary Educ. Expense Bd., 527 U.S. 666, 670 (1999); Pennhurst State School and Hosp. v. Halderman, 465 U.S. 89, 97-100 (1984).

Plaintiff concedes that the Eleventh Amendment bars her state law claims. Accordingly, the State's Motion to Dismiss in Part (doc. 9) is GRANTED, and plaintiff's second, third and fourth claims for relief are HEREBY DISMISSED.

IT IS SO ORDERED.

Dated this 13 day of January, 2006.

A handwritten signature in cursive script, appearing to read "Ann Aiken", written above a horizontal line.

Ann Aiken
United States District Judge